IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 214 OF 2006

IN

CRIMINAL APPEAL NO. 200 OF 2006

RIYAZ ISMAIL KHAN ..APPLICANT

V/S

STATE OF MAHARASHTRA ..RESPONDENT

NONE FOR THE APPLICANT.

MRS. M.M. DESHPANDE - APP FOR STATE.

CORAM: V.M. KANADE, J.

DATE : 17TH OCTOBER, 2007.

P.C.

1. None appears on behalf of the Applicant. Heard learned APP for the State.This is an application for bail. The Applicant was convicted for the offence punishable under section 392, 397 read with section 34 of the Indian Penal Code and was sentenced to suffer rigorous imprisonment for 7 years and a fine of Rs. 500/- on each count was imposed on him and in default he was directed to undergo 3 months further rigorous imprisonment. The judgment of the trial court indicate that he was arrested in this case on 7--3-2003 and he is in jail since then. Applicant is the permanent

resident of Mumbra, Thane. Admittedly there are no prima facie criminal antecedents against the Accused. The Applicant has undergone more than 50% of the sentence. The Appeal is not likely to come up for hearing immediately in the near future. Under these circumstances, in my view, the Applicant is entitled to be released on bail. The Applicant is released on bail in the sum of Rs. 5000/- with one or two sureties in the like amount. The Applicant shall report to Mumbra Police Station, District Thane twice in a month. A copy of this order be communicated to Thane Central prison. Application is allowed in above terms.

(V.M. KANADE, J)